



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

NIXON & VANDEHRHYE P.C.
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203-1808

COPY MAILED

OCT 02 2009

OFFICE OF PETITIONS

In re Application of :
Benneker et al :
Application No. 10/566,839 : DECISION ON PETITION
Filed: February 7, 2007 :
Attorney Docket No. 4662-145 :

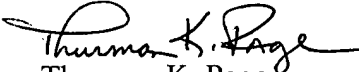
This is a decision on the renewed petition filed July 14, 2009, requesting under 37 CFR 1.182 that the acceptance of the terminal disclaimer filed April 2, 2009 be withdrawn.

The petition is **GRANTED**.

Petitioners assert that, because the examiner has withdrew the final rejection, and the reason for which the aforementioned terminal disclaimer was originally proffered have not been maintained in the new office action, there is no further need for the disclaimer to remain recorded against this application. The undersigned has consulted with the examiner in charge of this application, and has found that the examiner concurs with petitioners' assertion. Accordingly, the terminal disclaimer is withdrawn. USPTO records for the above-identified application have been changed consistent with this decision.

Telephone inquiries related to this decision should be addressed to Thurman K. Page at (571) - 272-0602.

This application has been forwarded to TC1700 for further processing.


Thurman K. Page
Petitions Examiner
Office of Petitions